

08-13-01

Atty. Doc. No. ESST-00301

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DATE OF DEPOSIT: August 9, 2001

I hereby certify that this paper is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Box PATENT APPLICATION, Assistant Commissioner for Patents; Washington, DC 20231.

Don Madhavan



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

* * *

TRANSMITTAL OF CONTINUING APPLICATION UNDER 37 CFR §1.53(b)

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

ATTN: BOX PATENT APPLICATION

Sir:

Applicant hereby respectfully submits the enclosed Continuation Application under **37 CFR §1.53(b)**, of the pending prior application Serial No. 09/369, 034 filed August 4, 1999 entitled **Data Communication Device**. A true copy of the prior complete application as filed is enclosed.

Amend the specification by inserting before the first line, the sentence: "This application is a continuation of application number 09/369,034, filed August 4, 1999, pending."

Transmitted herewith for filing of a continuing patent application of:

INVENTOR(s): Dong, Ping and Cookman, Jordan C.

FOR: Data Communication Device

Enclosed are the following:

- Specification (21) pages;
- Claims (5) pages;
- Abstract (1) page;
- Drawings (7) pages;
- Oath (Copy from prior application) (3) pages;

Power of Attorney (Copy from prior application) (2) pages
Assignment (Copy from prior application) (5) pages;
Fee calculation sheet;
Return Postcard; and
Check# 1236 for Continuing Patent Application Filing Fee.

Further enclosed:

Preliminary Amendment (3) Pages;

Remarks

Applicant would like to indicate that the inventors named in the continuation application are exactly the same as the inventors named in the prior application. Further, the applicant would like to indicate that this application is being filed before the issue fee has been paid for the prior application. However, the issue fee is soon being submitted in a separate transmittal.

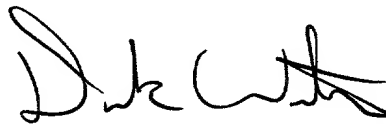
The Commissioner is hereby authorized to charge any additional fees due or credit any overpayment to Deposit Account No. 50-1610.

All future correspondence should be addressed to:

David R. Stevens
Stevens & Westberg, LLP
99 North First Street, Suite 201
San Jose, CA 95113
(408) 288-7588

Respectfully submitted,

Stevens & Westberg LLP



Derek J. Westberg (Reg. No. 40,872)
Attorney for Applicant

Dated: August 9, 2001

Stevens & Westberg, LLP
99 North First Street, Suite 201
San Jose, CA 95113

FEE TRANSMITTAL FOR FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number **NA**

Filing Date **NA**

First Named Inventor **Chu**

Examiner Name *****

Group Art Unit **2161**

TOTAL AMOUNT OF PAYMENT

(\$888.00)

Attorney Docket No. **ESST-00301****METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **50-1610**

Deposit Account Name

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION**BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) **710.00****EXTRA CLAIM FEES**

Total Claims	21	- 20** =	1	x	18	=	\$18
Independent Claims	5	- 3** =	2	x	80	=	\$160
Multiple Dependent						=	\$178

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claims, if not paid	
109	80	209	40	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) **(\$178.00)**

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **(\$0.00)****SUBMITTED BY**

Name (Print/Type)

David R. StevensRegistration No
(Attorney/Agent)**38, 626**

Complete (if applicable)

Telephone

(408) 288 - 7588

Signature

Date

August 9, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.